

**“MY
VINDICATION
WILL YET
COME,”
SAYS LEO
FRANK**

With His Attorneys in
Wash-

ington, Awaiting
Justice La-

mar's Decision, Frank
Ap-

peals to Public

“DEATH ITSELF HAS
LITTLE TERROR
TO ME”

“I Am Human
Enough to

Want to Live to See My Right and Due," He Says

With his attorneys in Washington, where they have laid his Case before Justice Lamar in an effort to get a hearing before the United States Supreme Court, Leo M. Frank last night from his cell in the Tower issued a statement to the public in which he expresses confidence that his vindication will eventually come, though whether he will live to see it he cannot tell.

"Vindication may be long in coming, but it will come," he says. "With this knowledge, death itself has little terror to me, for it is said 'He who is innocent within, is armed without.'"

The statement was dictated by Frank three days ago and was prompted by the decision of the Supreme Court of Georgia declining to set aside the verdict against him. It reads as follows:

November 21, 1914.

To the Public: The latest decision in my Case by the Georgia Supreme Court has placed the bar, as I understand it, against further airing of the Case in the Georgia Courts.

Unequivocally, and as firmly as I can, I want again to reiterate my absolute innocence of the awful crime charged against me. I have no knowledge of it. I have fought hard, and I have toiled long, for a chance to establish this. My able and loyal

attorneys have four times petitioned the Courts for another trial, but to no avail, though only in one trial was I pronounced guilty, and that by a jury surrounded by an atmosphere reeking with prejudice and mob violence, where calm, impartial and judicial consideration was impossible, and the judge, who presided at the trial and who instructed the jury that I must be proven guilty beyond a reasonable doubt, expressed publicly the fact that he was not convinced of my guilt.

“I AM INNOCENT.”

I am innocent, and it was my purpose to prove it, so that my vindication might result from another trial in this State. Four times, using all resources that were fair and fit, have I cast myself on the Bosom of the Courts and pleaded, in the accustomed way, for the exercise, on the part of the Courts, of that discretion that is vested in them. I was not asking for anything without the pale of reason and justice—I just wanted a chance; not alone for life, but for name and honor. I was not asking the Courts to rule specially for me. I asked for those things only which have in the past been granted to all, high and low, and which are based in the very fountain springs of human rights, human law and human justice.

I have fought fair and in the open, but to date victory has not crowned my efforts. I am still working and hoping, to the end that the matters in this Case may assume their true perspective and that liberty and rehabilitation, which rightfully should be my portion, are meted out to me.

STILL TRUSTS COMMUNITY.

I have trusted, and still trust, that this community which has the fine traditions and precedents of the past to guide it, will not allow so gross, so colossal an injustice to be done me. Consider how grievous such a thing as a judicial error would be, and what a commentary on the intelligence of this community.

It is strange to me that a community which boasts (and rightly so), of such a dynamic force for good, as the “Atlanta

Spirit" should so bloodthirstily desire the undoing and annihilation of a human life. It would be far more consistent, in view of the many inconsistencies and doubts in this Case, to desire to build up, to conserve, to be cautiously just, to investigate. The situation, which has resulted from an over hasty and unreasoning antagonism, is almost unbelievable. The fabric reared upon so unstable a foundation, at this time is casting its sinister shadow over me.

IS WAY FOREVER BARRED?

Can it be that the law, and our system of its administration, is so inexorable that truth and innocence may never be heard after once the die is cast? Is the door forever closed, and the way barred? Is the technical finesse of the law to forever preclude a hearing of facts, and human right to be trampled beneath the judicial feet? If this be so, and I can not as yet believe it, then our twentieth century civilization is but a myth, and the divine spark in each human breast a fairy tale. Then, in truth, we hark back hundreds of years in human progress to when the arena and "thumbs down" was the last word of the law. It just can not be that way! The revolving years of twenty odd centuries must have brought a juster heritage than a condition, barbaric in its essential details.

I have thought hard, and worked long to illuminate the truth and my innocence. I have concealed nothing. I submit that no word or act of mine, either in the Courts, or in the press, is inconsistent with my innocence. I have operated where all, who would, might see and learn the truth. Nor do I intend, at this time, to enlarge on matters that must be familiar to all who have followed by Case. The issue is clear-cut between a Negro criminal who, in this Case, perjured himself many times and has an unsavory reputation, and myself. I have never yet been trapped in a lie or caught in a misstatement in this Case, because I am innocent and have told the truth, the whole truth, and nothing but the truth. I have proven my character and reputation to be good. I have lived an upright life. It ought not to be hard for an

enlightened community to see clearly through the issues and facts of this Case. In my opinion, 90 percent

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(Continued from Page 1.)

of those who express themselves as to my guilt are ignorant of the facts in the Case.

TRUSTS FOR VINDICATION.

I have hoped, and I still hope that I may yet be vindicated by this community and that my innocence may be universally acknowledged. The harm and injustice done me was begotten in this community, and it can right the wrong. Certainly there could be no weakness in this—it would bespeak American virility and sense of a “Square Deal.” I hope that this vindication may come, and the full truth of this awful tragedy be bared to the light before

death overtakes me. If I am gathered to my Fathers, then I trust that my vindication may come, and my name be restored during the lifetime of my dear parents and loving wife.

That my vindication will eventually come I feel certain. Whether I will live to see it, I can not tell. I am human enough to want to live to see it, for it is my right and due. But I may not; I may suffer death. Still, one thing is sure, the truth cannot be executed. Vindication may be long in coming, but it will come. With this knowledge, death itself has little terror to me, for it is said "he who is innocent within, is armed without."

LEO M. FRANK.

Justice Lamar's Decision Is Expected Monday

(Special Dispatch to The Journal.)

WASHINGTON, D. C., Nov. 21.—The result of the last legal struggle to save Leo M. Frank from the death penalty for the murder of Mary Phagan will not be known before Monday.

His Atlanta Attorneys with whom is associated Louis Marshall, of New York, made their formal application to Justice Lamar this afternoon for a Writ of Error to bring the Case before the Supreme Court for review. Mr. Justice Lamar took the application under Advisement. Frank's Attorneys admitted tonight that they did not expect a decision before Monday. It is possible that the application for the Writ of Error may be referred to the

full bench and in that Case the possibility of a delay of two years before the final determination of the matter was suggested. Messrs. Henry Peeples and Harry A. Alexander, of Atlanta, Attorneys for Frank, will remain in Washington until they hear something definite.

The hearing today was in the home of Justice Lamar. It was private and there was no disposition afterward to discuss it on the part of the participants.

But, Frank's Counsel are hopeful. They believe that error was committed by the trial judge in the exclusion of the accused from the Court room when the verdict was returned. Reference made today to the Case of Diaz vs. the United States, coming from the Philippines in which Justice Lamar dissented from his Associates in the highest Court when they refused to hold that error was committed by the highest Court in the Philippine islands when verdict was returned of manslaughter against Diaz in his absence and which his Written Consent or Waiver of the privilege of being present, brought from the Attorneys for Frank, the Statement that they relied on the majority opinion of the Court in the Diaz Case. In that Case, Justice Lamar went even further and insisted that error had been committed because the accused was without power to divest himself of his constitutional guaranty of life and liberty embodied in the right to be present when the verdict was returned against him.
